Equal Rights

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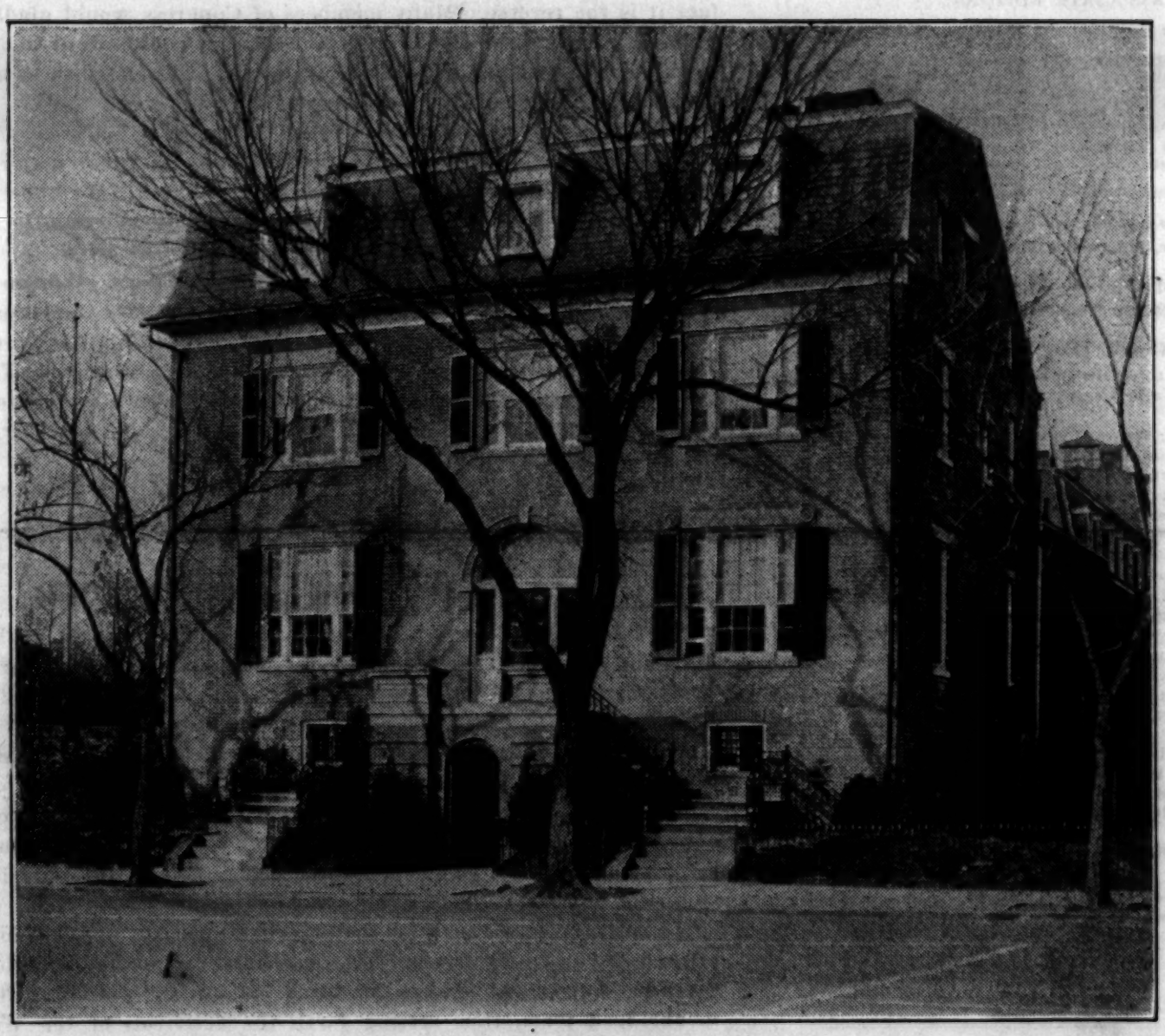

Alva Belmont House

International Headquarters of the National Woman's Party, where Mrs. Harvey W. Wiley, Chairman of the National Council of the Woman's Party, and other Council members, will hold a reception Saturday, December 5, at 8.30 P. M., in honor of the delegates to the Biennial Convention of the National Woman's Party meeting in Washington, D. C., December 5, 6 and 7. Thora Hinshaw Seaton has arranged a charming musical program for the occasion.

Equal Rights

OFFICIAL ORGAN
of the
National Woman's Party
Capitol Hill,
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Phone, Lincoln 1366
Published Weekly
at 19 West Chase Street,
Baltimore, Md.
Phone, Vernon 3279

Edith Houghton Hooker . . . Editor
Ruby A. Black . . . Managing Editor
Dora G. Ogle . . . Business Manager

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Zoe Beckley	Alma Lutz
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Inez Haynes Irwin	Mary Winsor

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Annual Dues	$10.00
Associate Members	$1.00
Subscribing Members	$3.00
Founders	$100.00
Life Members	$1,000.00
Endowers	$5,000.00
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OBJECT OF THE WOMAN'S PARTY

The object of this organization shall be to secure for women complete equality with men under the law and in all human relationships.

THE LUCRETIA MOTT AMENDMENT

"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

"Congress shall have power to enforce this article by appropriate legislation."

[Senate Joint Resolution Number 52]
[House Joint Resolution Number 55]
Introduced in the Senate June 4, 1929, by SENATOR GERALD P. NYE, North Dakota.
Introduced in the House April 25, 1929, by REPRESENTATIVE FREDERICK W. MAGRADY, Pennsylvania.

It Is Not Enough

WITH the Biennial Convention of the Woman's Party convening on the very date of the appearance of this issue, we feel a great temptation to tell the delegates precisely what to do in order to have victory immediately perch upon their banner. We shall resist the impulse, however, partly from a natural and becoming modesty, but even more because we believe that the convention itself exemplifies the method.

Victory is not to be enticed to the purple, white and gold, by any small number of women, no matter how brilliant they may be. Thousands, nay, perhaps, even millions of women, must pool their strength to force the Equal Rights Amendment through to passage. Politicians are afraid to vote for the Equal Rights Amendment on account of the labor vote, or some other vote, that may be turned against them if they become affirmative. This fear can be stilled only by equalization; that is, by having a sufficient proportion of the woman vote definitely threaten their prolonged political existence if they refuse to support the Amendment. It may seem a bit cruel to merciful people thus to place their representatives between two fires, but in actual fact it is the reverse. Many members of Congress would gladly vote for the Equal Rights Amendment if they thought they could afford to do so. Massing the Equal Rights vote, and making it vocative, will afford these men and women precisely the opportunity they desire.

We must prove to the members of Congress, in no uncertain terms, that the majority of women in the United States, the great majority, desire the immediate passage of the Equal Rights Amendment. We know that it is true that no self-respecting creature wishes to remain perennially in a disadvantageous and humiliating position, but proof must be given.

It is precisely this proof that the convention offers. Women from all parts of the country gather together, they become vocative, repercussions are felt from north to south, from east to west, and they are not lost on the politicians. The only difficulty is that there are not enough conventions. There should be one every year, in different parts of the country, with conferences in between. Feminists should meet together, oftener, and resolve together, oftener, that the Equal Rights Amendment shall pass.

Thus victory can be lured to our banner, and thus the merciful sex, the civilized sex, can bring its pitiful children into their own.

Share Your Good Fortune

EQUAL RIGHTS extends a warm and hearty greeting to the delegates to the Biennial Convention of the National Woman's Party meeting in Washington, D. C., December 5, 6 and 7. Occasions of this sort are memorable in the annals of our paper, for they always result in augmented interest in the Equal Rights movement, and therefore in augmented interest in EQUAL RIGHTS as the current historian of the movement.

Delegates who come to the convention will be interested afterwards to live over the details of the various sessions through the reports in our columns, but even more important is it for the delegates to use EQUAL RIGHTS to communicate to the folks back home some of the inspiration of the convention.

In so far as space permits the principal speeches of the convention will be printed in full in the issues of EQUAL RIGHTS immediately following the convention. Reports of officers, standing committees and councils will appear, in abridged form, thus setting forth the activities of the Woman's Party. Events of eternal consequence will be recorded, events still palpitating with life, which have turned the current of our epoch, and which some day will therefore find their appointed places in the solemn tomes of Father Time's library. Historians some hundred years hence may turn the brittle, yellowed pages of EQUAL RIGHTS and find in the forthcoming issues facts of enormous importance in their evaluation of the social-economic forces of the twentieth century. But how much more interesting to read these pages while the printer's ink is hardly dry!

Every delegate, before she leaves Washington, should make sure that the members of her own local organization will receive the convention numbers of EQUAL RIGHTS. Short subscriptions of one or two months may be taken out at very small cost and thus insure a wide circulation of the convention news.

It is only fair for the delegates to share their good fortune in coming to the convention with their less favored friends who will not be there. Let them at least read of the convenion in EQUAL RIGHTS and find there the inspiration for further effort in the national and international campaigns.

Biennial Convention Program

MRS. HARVEY W. WILEY, National Chairman of the National Woman's Party, and the members of the National Council, will be hostesses at a reception to the delegates to the Biennial Convention of the Woman's Party, which meets in Washington Saturday, Sunday and Monday, December 5, 6 and 7. All business sessions of the convention will be held at the Hotel Mayflower.

The reception to delegates will be at Alva Belmont House, the beautiful old Georgian headquarters of the Woman's Party on Capitol Hill, on Saturday evening, December 5, at 8.30 o'clock. Mrs. Thora Hinshaw Seaton has arranged a charming musical program for the reception.

Saturday, December 5

10 A. M.-12.00 Noon—Registration of delegates — Chinese Room, Hotel Mayflower.

2.30 P. M.—Opening Session—Chinese Room, Hotel Mayflower. Address by National Chairman; reports by Treasurer, Director of National Activities, Research Chairman, Chairmen of Standing Committees and Permanent Councils, State Branches.

8.30 P. M.—Reception to Delegates—Alva Belmont House, Mrs. Harvey W. Wiley, National Chairman, hostess, assisted by members of the National Council.

Sunday, December 6

12.30 P. M.—Radio Parties—Alva Belmont House and Hotel Mayflower. Broadcast from London on Feminism as an International Force, by Viscountess Rhondda, member of International Advisory Council of National Woman's Party, over WMAL.

2.30 P. M.—Session on Recent Feminist Achievements—Concord Room, Hotel Mayflower—Reports by Field Organizer; Congressional Chairman; Committee on International Relations. The story of the Open Door International; the Equal Rights International; the League of Nations Consultative Committee of Women; the Inter-American Commission of Women; the Welosky Case; the Equal Rights Amendment.

7.00 P. M.—Equal Rights Dinner—Chinese Room, Hotel Mayflower. Izetta Jewel Brown, toastmistress. Speakers, including Dr. James Brown Scott, president of American Institute of International Law; Hon. John L. Cable, father of Cable Act; Gail Laughlin, former member of Maine Legislature; Sra. Dona Juanita Molina de Fromen, Representative of Nicaragua on the Inter-American Commission of Women; Mrs. Harvey W. Wiley, National Chairman; Maud Younger, Congressional Chairman.

Monday, December 7

10.00 A. M.—Business Session—Chinese Room, Hotel Mayflower—Report of Nominating Committee; Election of Officers; Report of Resolutions Committee. Plans regarding Equal Rights events imminent: industrial situation; appeal of jury service case to Supreme Court; Equal Rights at Geneva; Equal Rights at Montevideo; Equal Rights in Congress; Equal Rights planks in political party platforms.

12.30 P. M.—Delegation of Greeting to Mrs. Caraway on occasion of her being sworn in as United States Senator from Arkansas, United States Capitol.

2.00-5.00 P. M.—Interviews with Congressmen on Equal Rights Amendment, United States Capitol.

5.00 P. M.—Tea at Alva Belmont House.

Porto Ricans Honor Pioneers

PORTO RICAN FEMINISTS, celebrating the granting of suffrage to the women of the island, met with Feminists of the United States November 25 before the monument to the suffrage pioneers in the crypt of the United States Capitol. Maria Machin, dean of women of the University of Porto Rico, and Mrs. Felix Cordova Davila, wife of the Commissioner from Porto Rico in the United States Congress and a member of the National Woman's Party, placed a wreath of laurel before the monument to Susan B. Anthony, Lucretia Mott, and Elizabeth Cady Stanton, and paid eloquent tribute to the creative influence of these first suffragists and their successors in directing the women of the hemisphere toward equality.

Members of the National Woman's Party of the United States; Mrs. William Lee Corbin, president of the City Club of Washington; and Mrs. Edgar B. Meritt, president of the District Federation of Women's Clubs, participated in the simple but effective ceremonies.

Adelaide Johnson, sculptor of the monument, expressed its significance and the fitting symbolism of its position in the heart of the Capitol of the country as a recognition of the transcendence of the Feminist movement.

Laying the wreath before the marble portrait busts, Miss Machin said:

"I am proud to have the privilege of representing the women of Porto Rico on this occasion. I only wish you could see and know the fine women of Porto Rico as I know them. I wish you who have put so much of your lives into the movement to give women the right of suffrage could know of the grateful appreciation of the women of my Island for the sacrifices you have made. I wish you could know the thrill that comes to those who are informed as they hear the names of Susan B. Anthony, Elizabeth Cady Stanton and Lucretia Mott.

"We can never pay these women the honor that is due them through tributes or by means of placing flowers on their monuments; but we can do them great honor by preparing ourselves to exercise intelligently and wisely the voting privilege.

"The women of Porto Rico have been granted the right to vote beginning with the elections in 1932. The inspiration that came from the National Woman's Party in the United States helped very much to secure the passage of the law and to give the generous vote which resulted. While the women of the Island were anxious to secure the passage of the law giving the right to vote, and while they worked hard for the law, they are much more anxious to prepare themselves for voting intelligently at the next election. Those who cannot read and write are eagerly taking hold of the opportunities provided for them by the 'Asociación Insular de Mujeres Votantes' to learn to read and write and to understand the meaning of citizenship.

"Our women are sober-minded. They are loyal to democratic ideals. The hurricanes that swept the Island a few years ago and the depression at the present time are enough to discourage the bravest souls of any people. Yet we find our women and our people as they are suffering looking ahead hopefully for better things. They see the advantages of education rapidly coming to the children. They see that their children will have a fairer start in life than they had. They see a richer life ahead for adults. They mention with pride that they are citizens of the United States.

"These are the people I represent as I place these beautiful flowers on the monuments of the greatest women in American history. I pray that the women of Porto Rico may ever do honor to their names by wisely exercising the right to vote now, and by intelligently exercising other rights that may come to them in the future. All honor to the memory of Susan B. Anthony, Elizabeth Cady Stanton, and Lucretia Mott."

Headway in the Headlines

Radio Speech of Ruth Hale of New York, Delivered Over Station WEAF of the National Broadcasting Company, Tuesday, November 24, at 2.45 P. M., Eastern Standard Time.

WHEN we who are working for the greater freedom and glory of women find our tasks weighing too heavily on our spirits, we have a way of refreshing ourselves by a recapitulation of what we have done already. Sometimes we cheat a little and take credit for more than we have rightfully earned, but we more or less have to do that to keep ourselves energized. And there are always plenty of scoffer around to deflate our claims.

For example, I thought it might be amusing if we tried to measure our new position—that is, our present position as against that of, say, fifteen years ago—by the headway we had made in the headlines.

Now headlines are a much more important measure of your community stature than the story that goes under them, because the story can be diffuse, adulatory, and even essentially trivial, but the headlines have to boil you down and label you unmistakably in the fewest possible words, and at the same time explain why you are in the paper at all. Thus, if a headline reads, "Husband-slayer goes to chair," it merely means that though the unfortunate lady has made the headlines, she has but the one claim to that distinction, and that the chances are very heavy against her enjoying it a second time. If a headline reads "President's wife goes shopping," it means that a lady is headlined because her husband is president of something or other, and that when he ceases to hold his job, she will do her shopping without any further fluttering from the press.

But if there is a headline to the effect that "Gerry is mobbed by her flappers," or "Mary has police protection from crowds," that definitely means that Geraldine Farrar and Mary Pickford have places in the public mind which they have earned for themselves and may continue to occupy as long as they sing, or act—or, in other words, as long as they want to.

I have given you these examples just to show you how the headline must grab the essential fact. They have no space for qualifying clauses. They are merciless in their appraisals, and I imagine many a woman must have been disconcerted by them. The copy deck does these little distillations withoue any regard whatsoever for the feelings of the lady—or the gentleman either. In yesterday's papers, for instance, almost everyone of them headlined "Constance Bennett Marries Gloria's ex-Husband," and I would think that the Marquis would like to box their ears. Though it is not at all unusual to see on the society pages "John Jones marries Tom Smith's widow." The human ego is helpless in the hands of the headline writers. They are making judgments for the community, and they have no choice but that dictated by their deadly logic, or, as they would put it, the logic of events.

So that is why I chose the headlines as my measuring rod, and I must say I thought I would get a richer haul than I did. I remember once when I was very small, my father ordered some thousands of bricks from a nearby town, choosing the grade he wanted from an assortment shown to him by the salesman. When the bricks arrived they were mangy-looking,

RADIO PROGRAM

Under the Auspices of

THE NATIONAL WOMAN'S PARTY

Station WEAF and Associated Stations, Tuesday, December 8, 2.45 to 3 P. M.

Eastern Standard Time.

Speaker: Margaret E. Cousins of Madras, India.

Topic: "The Union of the Eastern and Western Hemispheres Through Womanhood."

batted and battered, and my father said indignantly to the salesman, "Why, these are nothing like the brick you showed me."

"Why, of course not, Mr. Hale," the salesman replied mournfully. "Don't you understand that that one was picked out for a sample?"

I can still remember my father's laughter, though, what with my own high moral indignation, I thought it was incomprehensible. But I made myself a very solemn little vow that I would never "pick anything out for a sample."

So I gave myself a given day—and because I wanted to give myself as much the best of it as I could I picked a Sunday—and I sat down bright and early last Sunday morning before a huge pile of papers. Well, not to make too long a tale of it, I wound up in mid-afternoon with almost precisely nothing. In the news of the world in general, I found no woman cutting any figure at all. Of course, I knew there must be women in Japan, women in China, women in Italy, and India and France and England, who were concerned to the utmost pitch of intensity over their respective national problems. But none of them commanded a headline—none of them even rated a line in the news. All the Sunday papers were filled with pictures of women. They were marrying, debuting, brooding over their first-borns, showing off the merits of the Bezan "speak-easy dresses," and they were collecting funds for the unemployed. They dominated the ads, fashions, society and charity. But that much would have been true of the Sunday papers of the Civil War times—if there were any then. About the only thing I could find to comfort me—to fall back on the worn old Dana formula, "if the man bites the dog, that's news"—was that I could find some things which were not headlined, which 15 years ago would have been; which, in other words, had the stress of underemphasis.

If enough men bite dogs, they aren't news any more. And on that somewhat thin analogy, I offer that when the New York *Times* puts under a small head deep inside the paper that "Women led men in five of the eight major divisions of the University of Wisconsin during the last summer session, etc., etc." there are so many women now planning careers that it isn't even worthy of remark any more.

I turned with great hopefulness to the sports pages, because there the earnest female searcher will nearly always find Glenna Collett or Helen Wills doing something or other. But I discovered that woman's equality in sports is a summertime equality. I could find nothing but football, football, and more football. Nobody will ever know what I would have given to be able to wave a wand over Albie Booth last Sunday and turn him into a Yale co-ed.

Incidentally, I find that I have just mentioned Helen Wills as Helen Wills, and not as Mrs. Moody. That isn't just cussedness on my part—it is because for the moment I borrowed the headline writer's point of view. In the news stories of Mrs. Moody's tennis games, they call her Mrs. Moody, because that is what she wants to be called. But in the captions, she is Helen Wills, because Helen Wills is the greatest woman tennis player this country has ever produced. She is so known and will be so remembered when her more private enterprise of marrying Mr. Moody takes its proper place in the obscurity of private annals. Sometimes the headline writers overlook this simple fact, and they come to grief; that is, from the standpoint of their own business expertness. I will never forget my amazement when one day I saw an eight-column streamer on the first sports page of the late *Morning World*, which ran, "Mrs. Clune Defeated in Hudson Swim."

"What of it?" I thought, never having heard of Mrs. Clune. Well, I read the story, and it turned out to be Charlotte Boyle, who had been married a few days before. I called up George Daly, sports

editor, who was the great sinner in this instance, and gave him what-for. "If this thing worked the other way around, would you headline a prize fight between Mr. Whoozis and Jack Taylor?" I demanded with some waspishness.

And he said, "Well, no," not if he expected anybody to read it.

I read in the *Times* one day that "Mrs. Samuels will sing with Milwaukee symphony," and I give you my word I was completely at sea. I had for the moment forgotten that Galli-Curci had married Homer Samuels. Just the other day the *Herald-Tribune* had a front-page headline to the effect that "Mrs. Putnam makes forced landing in autogiro." Well, if you hadn't happened to read that Amelia Earhart and George Putnam had lately married, you wouldn't be much impressed with the fact that a Mrs. Putnam had landed sooner than she meant to. You might vaguely hope that she hadn't hurt herself, but that would be about all. But when a forced landing with an autogiro is made by the woman who holds most of the records in handling them, that is news. Miss Earhart herself might just as lief have that record appear under an alias. But, as we said before, headline-writers don't consult preferences.

However, to return to my distresses in finding last Sunday's newspapers almost womanless I felt that my willingness to "pick out something for a sample" had been pitched against an evil fate which had picked out a sample against me—I could not believe that women really occupied as little headline space in their own right nowadays as those wretched papers indicated. Fortunately I had been invited to dinner at the home of Herbert Bayard Swope, a man of practically boundless newspaper experience, and certainly the most precise memory I have ever known.

"Swope has to pull me out of this," I said firmly, as I powdered my nose. And then, when I arrived at dinner, what was my rejoicing to discover that I was sitting next to Arthur Krock, of the *Times,* who, though he detests the Feminist movement with the full strength of his Kentucky fervor, is a swell newspaperman and thoroughly knows his business. I told him my troubles.

"Well, now, let's see—" he said. "You don't want women who merely reflect the glory of their husbands, and you don't want them just because they've been caught biting in the clinches. You want honest-to-goodness women who make the news because of their permanent positions, positions earned by themselves."

"Oh yes, sir," I said. "One of the worst things about having you on the other side is that you are smart enough to understand us. We don't mind the fools."

Mr. Krock fixed me with an admonitory eye. "Never mind that," he said. "Let's get on to the women. Have you put down Jane Addams, or Margaret Bondfield, or Margaret Sanger, or Ruth Hanna McCormick, or Mme. Curie, or Maria Montessori, or Suzanne Lenglen, or Mrs. Belmont or—why, for Pete's sake, you can only talk fifteen minutes, and you could call off names for three days—just of the women who would make the headlines if they so much as sneezed."

I might put in, just here, that every well-run newspaper has a sort of unofficial list of people whose doings are called "news" even if those doings are in themselves definitely unimportant. An easy example is Colonel Lindberg, who can hardly blow his nose without starting up a new story. Mr. Krock was now giving me the names of women who approximated this newspaper eminence. And you must not forget that just as these headline-writers care not at all if your feelings are ruffled by their brisk estimates they don't strive to please you either, and you get your kudos whether you want it or not.

And it should also be put in, just here, that neither Mr. Krock nor I had any hope of covering the entire field. We were simply groping about for names, one suggesting another, till the list got so long I could no longer remember it.

I felt restored in my original belief that women had at last definitely crashed the icy and procrustean confines of the newspaper headings. We naturally hadn't got very far in our cataloguing before the other diners started chiming in, and the names came helter-skelter; Mabel Willebrandt, Mrs. Charles Sabin, Ella Boole, Edna Ferber, Gertrude Ederle, Anna Vaughan Hyatt, Gertrude Vanderbilt Whitney, Clara Bow, Gloria Swanson, Katharine Cornell, Eva Le Gallienne, Mabel Choate, Alice Longworth, Georgia O'Keefe, Willa Cather, Ruth Nicolls, Elinor Smith, Ethel Leginska, Marian Talley, Mary Garden, Dorothy Parker, Marie of Roumania, Edna St. Vincent Millay, Alice Paul, Doris Stevens, Ethel Barrymore, Katherine Berry, Maria Jeritza, Schumann-Heink, Mrs. Jacob Riis, Mrs. Carrie Chapman Catt, Julia Lathrop, Dean Gildersleeve, M. Carey Thomas, Jeanette Rankin, Ruth Bryan Owen, Frances Perkins, Alice Duer Miller—there is almost no stopping, once you get started.

I have left out probably three-fourths of just the names that were mentioned off-hand at that one party. And do not imagine that newspaper copy desks have any interest in, or affection for, the growing distinction of women in public merely as such. These women appear in the headlines because there is no way to keep them out, and still run a newspaper. The National Woman's Party, which is fighting so steadily and earnestly for equality between the sexes, has still, of course, a long hard row to hoe. But it can at least look back and see that a whale of a lot has already been done.

Marriage No Bar to Teaching in California

By Ruth Taunton

ESTHER LARIMER ANDERSON is classified as a "permanent" employee of the Anaheim School District, having taught in the public schools of Anaheim for six consecutive years.

On July 2, 1931, she married.

Prior to the end of the spring term of school, in 1931, Esther entered into a contract with the School District for her services as a teacher for the 1931-1932 term.

On September 8, prior to the commencement of the 1931-1932 term of school, she advised the superintendent and the board of trustees of her marriage but that she intended to continue as a teacher in the schools of Anaheim.

On September 12, the clerk of the board, on behalf of the board of trustees of the Anaheim School District, wrote Esther a letter requesting her resignation "on the ground of her marriage." The letter went on to say that the resignation was requested "in line with the established policy of the board not to hire married women as teachers or continue the services of women who marry during their employment."

A letter was mailed on September 13 to the board by Esther stating that she was sorry that she could not comply with their request and present her resignation, but it was her intention to continue teaching and to fulfill her contract to the very best of her ability; that marriage was not a legal ground for the forfeiture of her status as a permanent teacher; and that she would be present in the office of the superintendent of schools on Monday, September 14 (the first day of school), for her assignment.

One week went by. Esther reported every morning at eight o'clock at the superintendent's office for an assignment, but was told by the superintendent that the board had made no assignment as yet and that they wanted to "reflect" upon the matter.

In the meantime, Esther had appealed to the county superintendent of schools and he referred the matter to the district attorney of Orange County for an opinion.

On Monday of the second week of school Esther was given an assignment in the Anaheim Public Schools, but only

after the opinion of the district attorney was obtained by the board.

The teacher in question based her right to teach upon the following:

Section 18, Article XX, of the California Constitution.

Section 1676 of the Civil Code of California.

Section 710 of the Civil Code of California.

Article III of Chapter VII of the School Code, as amended in 1929.

Dutart vs. Woodward, 99 Cal.App. 736.

Section 18 of Article XX of the Constitution of the State of California, reads as follows:

"No person shall, on account of sex, be disqualified from entering upon or pursuing any lawful business, vocation, or profession."

Section 1676 of the Civil Code of the State of California reads as follows:

"Every contract in restraint of the marriage of any person, other than a minor, is void."

Section 710 of the Civil Code of the State of California, reads in part, as follows:

"Conditions imposing restraints upon marriage, except upon the marriage of a minor, are void. . ."

Chapter III of the School Code of the State of California, as amended in 1929, makes the following classification of persons in positions requiring certification qualifications, to wit:

PERMANENT

Boards of school trustees and city and county boards of education shall have power and it shall be their duty to classify as permanent employees all persons who have been successfully employed by the district for two or three complete consecutive school years in positions requiring certification qualifications.

PROBATIONARY

Persons employed in positions requiring certification qualifications for the school year, and who have not been classified as permanent employees.

SUBSTITUTE

Persons employed in positions requiring certification qualifications from day to day for less than one school year, to fill positions of regularly employed persons absent from service.

Teachers serving under the above classifications are subject to dismissal, as follows:

PERMANENT

Causes for dismissal of a permanent teacher are immoral or unprofessional conduct, incompetence, evidence unfitness for service, persistent violation of or refusal to obey the school laws of California, or reasonable rules prescribed for the government of public schools, after a fair and impartial public hearing.

PROBATIONARY

Probationary teachers may be dismissed for cause only, as in the case of permanent employees.

SUBSTITUTE

Substitute employees may be dismissed at any time at the pleasure of the board.

The leading California case on the subject of the right of a school board to dismiss a woman teacher solely on the ground of her marriage, is Dutart vs. Woodward, decided by the District Court of Appeals of the State of California, Third Appellate District, in July, 1929, and reported in 99 Cal. App., at page 736.

Ruth Dutart was classified as a permanent teacher in the elementary department of the Stockton School District, pursuant to the provisions of Section 1609-e of the Political Code of California, and had taught acceptably for seven consecutive years in that department of the Stockton School District. Prior to the end of the school year of 1928, the petitioner (Ruth Dutart) married, and the school board then requested her to tender her resignation, which she declined to do. In August, 1928, the trustees of the Stockton School District assigned petitioner to teach in a free tubercular hospital and sanatorium, jointly maintained and established by San Joaquin and Calaveras counties and located in Calaveras County. This sanatorium was maintained for the benefit of children who were not afflicted with the disease, but who had tubercular tendencies.

Petitioner, Ruth Dutart, petitioned the Superior Court of San Joaquin County for a peremptory writ of mandate requiring the directors of the school board to assign petitioner to teach in the elementary department of the Stockton School District, on the ground that the school board had no legal authority to assign her to teach outside of that district or in the tubercular sanatorium mentioned. The Superior Court of San Joaquin County granted the peremptory writ of mandate, from which the school board appealed.

The efficiency and fitness of the petitioner was conceded. The only objection to petitioner continuing in her former assignment was because she married.

The court in this case said:

"The transfer to a class in a tubercular institution remote from the district where she earned her status as a permanent teacher is too severe a penalty for marriage. Marriage is not a legal ground for forfeiture of one's status as a permanent teacher."

In a letter to the clerk of the Grammar School Board of Anaheim, Orange County, California, the district attorney of Orange County said:

"In response to your verbal request for an opinion from this office on the question of the authority of the school board to refuse to employ a teacher, or rather to refuse to assign to duty a teacher already employed, because of the fact that since entering into the contract the teacher has married, you are advised:

"It appears from your statement that the board of trustees of the Anaheim School District has adopted a rule to the effect that it would not employ married women teachers and that teachers have been advised of this rule before entering into the customary contract of teachers.

"Section 1676 of the Civil Code of the State of California provides as follows:

" 'Section 1676. Contract in restraint of marriage void. Every contract in restraint of marriage of any person, other than a minor, is void.'

"Section 710 of the same code is as follows:

" 'Section 710. Conditions restraining marriage. Conditions imposing restraints upon marriage, except upon the marriage of a minor, are void; but this does not effect limitations where the intent was not to forbit marriage, but only to give the use until marriage.'

"It is apparent from the reading of these two sections and from the decisions of courts in various jurisdictions that any contract, which has for its object the restraint of marriage or which by reason of any penalty or forfeiture attached would serve to prevent the free exercise of the right to marry, is absolutely null and void. However, in your case, I am informed that no provision of this kind is contained in the contract but that it is simply a rule of your board. Consequently I am of the opinion that the rule would have no force or effect, not being made a part of the contract, and that if such contract were entered into, even though voluntarily on the part of the teacher, such provision of the contract would come squarely within the inhibitions of the sections quoted.

"It appears also that the teacher in question has attained the status of a permanent teacher in the Anaheim School District. The question then arises as to whether or not in the given case, the teacher has violated such a reasonable regulation of the board as would justify the removal of a permanent teacher. This question is definitely decided in the case of Dutart vs. Woodward, *et al.*, as directors of the board of education in the city of Stockton, decided by the appellate court in 99 Cal. App., page 736, at page 740, where the court said:

" 'Marriage is not a legal ground for forfeiture of one's status as a permanent teacher.'

"Since the entering into of the contract, which would have the effect of a restraint upon marriage, is void and could not be enforced by the board of trustees, even if such a contract were entered into, and in view of the fact that the teacher has attained the status of a permanent teacher, it is apparent she could be re-

moved only for some of the causes mentioned in the code for which the contract of a permanent teacher may be terminated, but in view of what is said by the appellate court in the case above cited, even this avenue of escape is closed to the board, and the removal of the teacher could not be predicated upon any of the grounds mentioned as cause for removal of a permanent teacher.

"You are, therefore, advised that it is the opinion of this office that since a contract has been entered into between the board of trustees and the teacher in question for the ensuing year, that the board is bound by the contract and it is the duty of the board to assign such teacher to active duty."

Italian Feminist and Anita Pollitzer Speak

THE Countess Fanny Sampini Salazar, beloved Italian Feminist, wants Italian women to understand American women. Particularly does she want them to understand, as they do not always now, how American women can be housewives and yet go out into business, professions, arts and politics.

At a tea in her honor at Alva Belmont House on November 22, she spoke earnestly of this desire for understanding between her country and America, which has found her almost more American than Italian. It was this wish which led her to found the Italo-American Union in Naples.

With soft, little-wrinkled skin, lovely white hair falling straight to her shoulders, and youthfully bright eyes, the Countess looks as romantic as her name and her ancestry sound. She was, as Adelaide Johnson said in graciouly introducing her, born of revolution. Her father was one of the patriots exiled from Italy for his part in the short-lived republic of 1848. Her mother was Irish. She herself was born in Belgium.

Upon her father's return to Italy, he became Garibaldi's trusted aid. The Countess was an intimate friend of Queen Margherita and has written a biography of the Queen which has been published in both Italian and English. She has twice represented the women of Italy in this country at world conferences, one in 1893 and another in 1902. Always, she said at the tea, she has found American women "on a high level" and has often been homesick for this country.

She cited the recent visit of Signor and Signora Dino Grandi to this country as a proof of the Italian woman's sharing of her husband's public life yet remaining a devoted mother. Women are coming more and more to the front in Italy under the new regime, she said, but seem to need to continue their "homework" as well for "men have neither the time nor inclination for such domestic tasks."

The Countess knew intimately two of America's greatest Feminist leaders, Elizabeth Cady Stanton and Susan B. Anthony, and led the applause at the mention of their names during the afternoon. "I feel," she said, "that we should always applaud for them."

Countess Salazar hopes that her ever-growing Italo-American Union will aid in bringing peace to the world.

In introducing her, Adelaide Johnson, sculptor of the famous statue of the three great suffrage leaders which now stands in the crypt of the Capitol, told of the Countess' editing and publishing, in English *The Italian Review,* while rearing her family of five children. She is also the author of three volumes on the life of the Brownings and has been an important personage throughout three score years in Italy. One of her principal interests is the National Council of Women of Italy.

Anita Pollitzer of New York and South Carolina, national vice-chairman of the National Woman's Party, came down from New York to speak on the Sunday afternoon program.

She was introduced by Maud Younger, Congressional chairman of the Woman's Party, as second only to Alice Paul in her valiant fight for the suffrage amendment. After the amendment had been passed by Congress and was before the States for ratification, Miss Younger related, Miss Pollitzer traveled to Florida and secured a special message from the Governor to the Legislature in behalf of woman suffrage, she managed the calling of a special session of the Legislature in spite of a previously anti-suffrage Governor, and in Tennessee, she lobbied most successfully for the amendment.

Miss Pollitzer, still a trifle breathless from her just completed train ride, spoke first of her delight in Alva Belmont House as a home center in which to welcome guests such as Countess Salazar, from foreign countries. Here at last, she said, was one common meeting place for all women.

Then she spoke of the National Woman's Party's desire for freedom of women from all discriminations in morals, professions, business, education, in everything, and of a world union without any discriminations of any kind. Such a Utopia is far from achievement, she said, but women, with political sagacity, common sense, and the power of their minds, have the power to bring about such equality. It will come eventually, she prophesized, nationally and internationally.

She said that women had started wrong. They had tried to educate men when they should have been educating women.

Though she sees equality coming, she finds hundreds of discriminations against women still existing in this country. Asked to speak at a National Woman's Party meeting in New York, she read the New York *Times* in search of material. Each item she read made her more and more indignant until she began to feel that every story in the paper was anti-Feminist or full of the evils of inequality. Finally she found, out of the entire paper, two helpful items. One told of the splendid bloc of women elected to the House of Commons in Great Britain, and the other of Gandhi's statement that he would rather fail in his entire movement than allow one discrimination, even against the untauchables, to be codified in the constitution of India.

Gandhi's stand reminded her, she said, of the so-called protective laws for women so often and so determinedly urged for incorporation in our laws.

Miss Pollitzer spoke of an illustration used by Alfred Adler, the great psychiatrist, in his new book, to show the necessity of absolute equality in marriage for the success of marriage. It would apply she believes to any other relation of life.

Dr. Adler relates the folk custom of a little German village, where the man and woman, soon to be married, are taken to the forest and given a two-handled saw to cut through an already cut-down tree. If both saw evenly and equally, the job is neatly, quickly done, and augurs well for the success in marriage, but if one dominates the other, if one holds back, if one fails to co-operate, the sawing is jagged and slow and phophesizes disaster.

An amusing little story of the absolutely universal belief in sex differences was told by Miss Pollitzer. She took an 11-year-old companion to luncheon at an amusing New York shop where special menus were prepared for juvenile guests. The youngster read a little verse from her menu:

"Boys like spinach, girls like beans,
Boys like carrots, girls like greens."

She looked up gravely at Miss Pollitzer and said, "That is incorrect. Boys may like spinach or they may not. It all depends on the boys."

After an appeal for help for Mrs. Harvey Wiley and Muna Lee in their splendid work for women and for new members of the National Woman's Party, Miss Pollitzer concluded her very splendid speech by saying:

"There will never be a world fit to bring girls and boys into until men and women make that world's decisions."

Laura Berrien proposed a resolution, "I move that we call on the President of the United States to lend support to the Equal Rights Amendment to the Constitution." It was unanimously carried.

Aliene Mather Vickery then proposed

the following resolution, which was also carried:

"WHEREAS the status of women before the law is now inferior to that of men; and

"WHEREAS the principal of Equal Rights for all and special privilege to none should prevail; now therefore

"Be It Resolved, That this meeting held at National Woman's Party Headquarters, Washington, D. C., November 22, 1931, call upon the President of the United States to invite the nations of the world to enter into a treaty to establish Equal Rights between men and women throughout the world.

"And be it further Resolved:

"That a copy of this resolution be sent to the President."

Members of the resolutions committee were hostesses at the tea, and Sra. de Ynsfran, wife of the Charge d'Affaires of Paraguay, presided at the tea table assisted by Sra. and Srta. Rivas de MacMillan of Cuba.

News from the Field

Mrs. Speyer Reads Her Poetry

LEONORA SPEYER—in private life, Mrs. Edgar Speyer—whose book of poems, "Fiddler's Farewell," was awarded the Pulitzer Prize for Poetry, read from her new book, "Naked Heel," on November 29. Mrs. Speyer, a famous beauty as well as greatly gifted artist, read at the Washington Arts Club on Sunday afternoon, and at Alva Belmont House, national headquarters of the National Woman's Party, Sunday evening. She broadcast a group of her poems over WJSV on Saturday evening, November 28th.

Mrs. Speyer, a Washingtonian by birth, daughter of the late Count von Stosch, attained in her early youth international fame as a violinist. Following her marriage to Edgar Speyer, junior member of the international banking house, Speyer Brothers, and builder of the London subway, she lived for years in London. Mr. and Mrs. Speyer now make their home in New York.

Leonora Speyer's work as a poet has received instantaneous recognition in this country and abroad. John Erskine, Edwin Arlington Robinson and others have praised the musical quality and psychological verity of her rendering of a woman's reactions to life. At the dedication ceremonies of Alva Belmont House Mrs. Speyer read over the radio in a nation-wide hook-up her poem, "A Word to Martha," written for the occasion.

Syracuse Branch Meets

THE Syracuse (New York) Branch of National Woman's Party held its first meeting of the winter season on November 22 at the home of Professor and Mrs. Floyd H. Allport of Syracuse, with Mrs. Lieber E. Whittic, New York State chairman, presiding.

Professor Finla G. Crawford of the School of Citizenship of Syracuse University spoke on "Possible Methods of Dealing with the Unemployment Problem." Mrs. William Yernington was chairman of assisting hostesses.

Discharge Women First

AN article, "Discharge Women First," by Alma Lutz, associate editor of EQUAL RIGHTS, appears in the December number of the *Independent Woman*, the magazine published by the National Federation of Business and Professional Women. It tells of the attempt to solve the unemployment problem by discharging women and shows the folly and injustice of such methods of so-called unemployment relief. Reprints will be available at five cents a copy, and may be ordered from the literature chairman, National Woman's Party, Washington, D. C.

Memorial to Dr. Lima

MRS. HARVEY W. WILEY, national chairman of the Woman's Party; Laura Berrien, treasurer; Mrs. Wymond Bradbury, founder; Fanny Bunand-Sevastos, executive secretary of the Inter-American Commission of Women; and many others actively interested in Inter-American progress, attended the literary memorial meeting of the International Association of Letters, devoted to the works of the late Dr. Manuel de Oliveira Lima, at the Hay-Adams House in Washington on November 23.

Flora Cavalcanti de Oliveira Lima, widow of Dr. Lima, is representative of Brazil on the Inter-American Commission of Women and a member of the National Woman's Party of the United States. Author, statesman and diplomat, Dr. Manuel de Oliveira Lima was an intellectual leader of Pan-American progress. A brilliant throng met to do honor to his memory.

Equal Rights at G. W. U.

MARAGARET LUERS, charming blonde student-chairman of the National Woman's Party Students' Council, introduced Equal Rights into the classroom at George Washingtan University recently with excellent effect. Scheduled to make talks in class on subjects of current interest, the students in Professor W. H. Yeager's class on public speaking filed outlines of talks they proposed to give. Mr. Yeager chose from these, as liveliest and most interesting, Miss Luers' topic, the Equal Rights Amendment; and so announced to the class, with a word of explanation.

When Miss Luers gave her talk at the next meeting, she was delighted to find an audience which listened with evident appreciation to her stories of the tragic and humorous consequences of inequality, and heard her demand for the passage of the amendment.

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